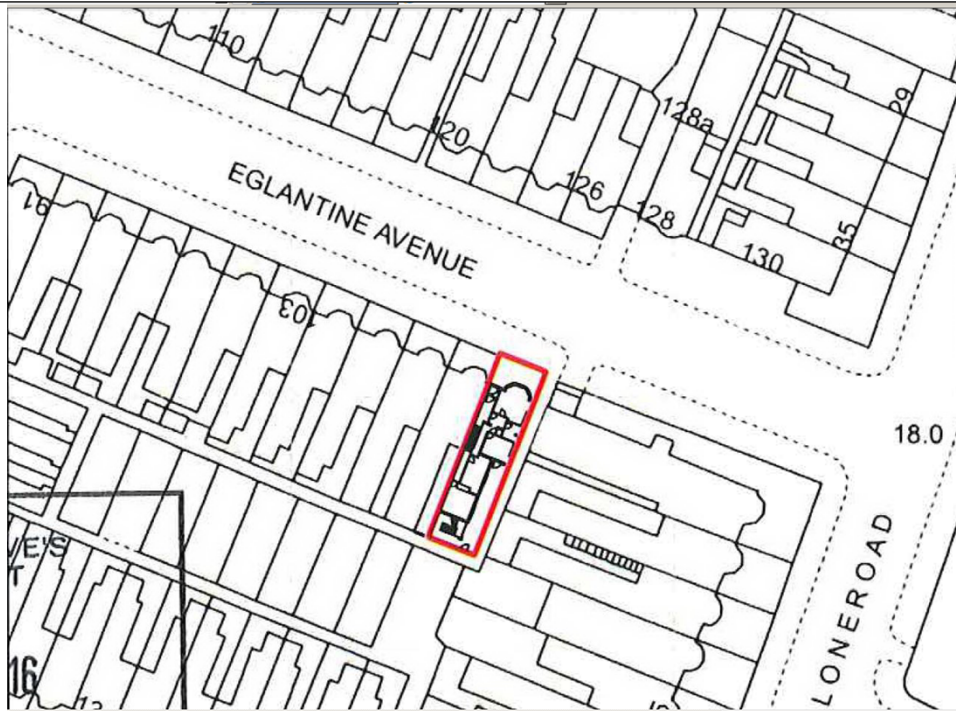


Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: 17 January 2017	
Application ID: LA04/2016/0899/F	
Proposal: Part internal demolition, conversion from 3no flats to 6 no flats including internal alterations, 3 storey rear extension and new rear dormer.	Location: 113 Eglantine Avenue Belfast BT9 6EX
Referral Route: Application is for more than four residential units.	
Recommendation:	Approval
Applicant Name and Address: Casey Fenton Limited 12 Torent Enterprise Centre Donaghmore BT70 3BF	Agent Name and Address: Total Architecture and Design Limited 25 University Street Belfast BT7 1FY
<p>Executive Summary: The application seeks full planning permission for part internal demolition, conversion from 3no flats to 6 no flats including internal alterations, 3 storey rear extension and new rear dormer.</p> <p>The Development Plan (BMAP) identifies the site as within the development limits of Belfast. The Plan also identifies the site within the Malone Conservation Area.</p> <p>The key issues to be considered are:</p> <ul style="list-style-type: none"> • Principle of residential use on the site • Road safety • Effect on Conservation Area • Visual and residential amenity <p>One letter of objection was received. The issues raised are addressed in the case officer report.</p> <p>The proposal was assessed against the Development Plan (BMAP 2015) and relevant regional planning policies. The proposal complies with the development plan and polices.</p> <p>All consultees responded with no objections. An approval with conditions is recommended.</p>	

Case Officer Report

Site Location Plan



Consultations:

Consultation Type	Consultee	Response
Statutory	Transport NI - Hydebank	Advice
Non Statutory	Env Health Belfast City Council	Substantive Response Received
Non Statutory	Transport NI - Hydebank	Substantive Response Received
Statutory	NI Water - Multi Units East - Planning Consultations	Advice
Statutory	Transport NI - Hydebank	Advice
Non Statutory	Env Health Belfast City Council	Substantive Response Received
Statutory	Historic Environment Division (HED)	Content

Representations:

Letters of Support	None Received
Letters of Objection	1
Number of Support Petitions and signatures	No Petitions Received
Number of Petitions of Objection and signatures	No Petitions Received

Summary of Issues

One letter of representation was received from Lower Malone residents' association highlighting concerns relating to non-compliance with planning policy regarding lack of amenity space, poor outlook, overdevelopment and potential parking issues.

Characteristics of the Site and Area

The existing building is a three storey end terrace, with two storey canted bay window to the left hand side of the elevation; it is faced in stucco with a pitched, slated roof. Stucco embellishments occur in the form of corncicing above ground and second floor windows - linked band like with those of the neighbouring properties, moulded surrounds to vertical emphasis windows (mainly rectangular, though segmental headed to the second floor), coffered panels to the canted bay window, corbelling to eaves, and the door case. The latter consists of pilasters, console brackets with acanthus and a cornice canopy. The rear contains its original three storey, subservient return. A small yard is located to the rear. The site is located within the Malone Conservation Area. The area is made of 3 storey terraced dwellings with either brick or rendered finishes. To the east of the site is a modern 3 storey commercial building.

Planning Assessment of Policy and Other Material Considerations

Planning History

Z/2012/0961/F- Proposed rear extension and internal alterations to existing apartments-Granted 20.11.2013

Proposal

Part internal demolition, conversion from 3no flats to 6 no flats including internal alterations, 3 storey rear extension and new rear dormer.

Policy Framework

Belfast Metropolitan Area Plan (BMAP) 2015
 Strategic Planning Policy Statement for Northern Ireland (SPPS)
 Good Design paras. 4.23 – 4.26
 Planning Policy Statement (PPS) 3: Access, Movement and Parking
 Policy AMP 1: Creating an Accessible Environment
 Policy AMP 6: Transport Assessment
 Planning Policy Statement (PPS) 7: Quality Residential Environments
 Policy QD 1: Quality in New Residential Development
 Planning Policy Statement 6: Planning, Archaeology and the Built Heritage
 Policy BH 12: New development in a conservation area
 Policy BH 14: Demolition in a conservation area
 Planning Policy Statement 7 (PPS) Addendum: Safeguarding the Character of Established Residential Areas
 Policy LC 2: The Conversion or Change of Use of Existing Buildings to Flats or Apartments
 Planning Policy Statement (PPS) 12: Housing in Settlements
 Planning Control Principle 2: Good Design
 Supplementary Planning Guidance – Creating Places
 Supplementary Planning Guidance – Parking Standards
 Development Control Advice Note 8 – Housing in Existing Urban Areas

Statutory Consultees Responses

Transport NI : No objection
 NI Water: No objection

Non Statutory Consultees Responses

Belfast City Council (BCC) Environmental Health – No objection subject to conditions

Representations

The application has been neighbour notified and advertised in the local press. One representation objecting to the proposal has been received from Lower Malone Residents' Association. The issues raised are: (1) Contrary to Policy LC1 in that the density is significantly higher than that found in the established area and is an over development of the site; (2) Contrary to Policy LC2 as three apartments are wholly to the rear; (3) Insufficient private amenity space; and (4) lack of Parking Survey. The issues are considered as part of the overall assessment set out below.

Assessment

RDS 2035: The proposal complies with the RDS as it promotes sustainable development by accommodating residential development within an existing urban area.

SPPS: The purpose of planning is to prevent proposals which would unacceptably affect amenity and the existing use of land. Planning authorities are guided by the principle that sustainable development should be permitted, having regard to the local development plan and all other material considerations, unless the proposed development will cause demonstrable harm to interests of acknowledged importance. Considering the BMAP policies and other material considerations it is considered that the proposal is deemed acceptable.

Principle of residential development

The proposed development is located within the settlement development limit of Belfast, and is in adherence with Policy SETT 2 as it is sensitive to the size and character of the settlement in terms of scale, form, design and use of materials. The principle of residential use is acceptable as the present use of the building is as three apartments. The proposal makes full use of the site and proposes 6 apartments in the existing building across all floors, including a three storey rear extension. There is an extant planning approval (Z/2012/0961/F for a rear extension and alterations to the existing apartments.

The proposal is not considered contrary to Policy LC1 as the proposed density is not significantly higher than that found in the established residential area. There is a mix of densities present in the area. The pattern of development is in keeping with the overall character and environmental quality of the established residential area, and the scheme promotes a sustainable form of development by facilitating a high degree of integration with centres of employment, community services and public transport.

The front façade will remain unaltered. Two new skylight windows will be installed. Bin storage is also located in the enclosed rear area on the ground floor. Belfast City Council - City and Neighbourhood Department were consulted regarding the amount of waste storage provided. The bin storage provision is considered acceptable.

Access and parking arrangements

The existing building is served at present by on street parking. The site has excellent public transport links being located close to the Malone Road arterial route which is served by metro bus routes and is within walking distance to Queens University and the city centre.

Transport NI is the authoritative body on road safety and transport issues. The scale of development and transport implications of the proposal were assessed and considered to be acceptable as set out in their response dated 22-11-16. Therefore the proposal complies with Policies AMP1 and AMP 6 of PPS 3.

Principle of new extension

In considering works to a historic property basic conservation principles apply - maximum retention of fabric, minimum intervention and clarity. PPS 6 (para 7.8) states that extensions will only be acceptable where they are sensitive to the existing building, in keeping with the character

and appearance of the area etc. Extensions should be subsidiary to the building, of an appropriate scale, use appropriate materials and should normally be located on the rear elevations. The rear extension is 12.4m long (the extension approved under extant permission Z/2012/0961/F is 12.5 m long). The extension is a maximum 10.9m high (extant approval is 12.5m high). Although the proposed extension is 3.5 metres longer than the existing rear return and is approximately 0.7m higher, the height of the proposed extension is significantly lower than the extant approval which expires in November 2018.

The Council's Conservation officer is opposed to the bulk of the proposed extension but has acknowledged the planning history on the site and stated that the proposed roof space alterations are acceptable.

Proposals for new development in a Conservation area are subject to the requirements of Policy BH 12 of PPS 6 and QD1 of PPS 7. To prevent erosion of character from inappropriate development, any new proposals in Conservation Areas should meet the following criteria;

- (a) The development preserves or enhances the character and appearance of the area. The Conservation office has objections to the bulk of the extension but considering the extant planning permission on the site for a larger extension and the renovation of the building without altering the facade it is considered that on balance this will enhance the character of the area.
- (b) The development is in sympathy with the characteristic built form of the area; the only change to the form of the building is to the rear. Limited views of this aspect are available to the public. The proposed extension is considered sympathetic to the host building and to the character of the area.
- (c) The scale, form, materials and detailing of the development respects the characteristics of adjoining buildings in the area; the materials on the extension will match those of the existing building and are complimentary to the character of the conservation area.
- (d) The development does not result in environmental problems such as noise, nuisance or disturbance which would be detrimental to the particular character of the area; As stated above, the principle of residential use is acceptable and 6 apartments can be accommodated on the site complying with relevant policy and guidance. EHO and Transport NI have no objections.
- (e) The development conforms to the guidance set out in Malone conservation area guidance document. The proposal has been designed with these principles in mind. There are no major changes to the front facade of the building. The design of the rear extension is considered acceptable.

Demolition

Under Article 105 of the Planning (NI) Act 2011, demolition control (conservation area consent) extends to removal of parts of buildings -

“(8) For the purposes of this section, any reference to demolition, in relation to a building to which this section applies, includes a reference to any structural alteration of that building where the alteration consists of demolishing part of the building.” The demolition aspect of the proposal relates to internal demolition works which are considered under the demolition consent application under LA04/2016/0923/DCA.

The Conservation area officer commented that whilst comparing the existing and proposed floor plans, it would indicate that the proposal is largely a façade retention – retaining all the external envelop now as opposed to only the front façade as per a previous scheme. He is of the opinion that the proposal will result in an unsustainable loss of historic fabric internally – i.e. elements of significance contributing to character and legibility. The internal historic fabric will alter but on balance would not warrant a planning refusal considering the extant planning history and the renovation of a building where the front façade will remain unaltered. The loss of parts of the internal fabric of the building could be demolished without significant harm to the distinctive character of the Conservation Area. The principle of demolition of the internal aspects of the

building is therefore considered acceptable in terms of PPS 6 Policy BH 14 Demolition in a Conservation Area.

Assessment of the Residential Environment

PPS 7 Quality Residential Environments - Policy QD1 Quality in new residential development

Planning permission will only be granted for the conversion or change of use of existing buildings to flats or apartments (including those for multiple occupancy) where all the criteria set out in Policy QD 1 of PPS 7, and all the additional criteria set out below are met:

- (a) There is no adverse effect on the local character, environmental quality or residential amenity of the surrounding area; the layout of the proposed apartments is acceptable in that each has an aspect to the public road. The proposal is in keeping with the context/character of the area. Therefore the proposed design alterations are acceptable and compliant with criteria (a) and (g) of PPS 7
- (b) There are no features of archaeological and built heritage importance to be protected on the site. Historic Environment Division were consulted to consider whether the application affected 37-53 Malone Road, a grade B2 listed terrace of special architectural interest and protected under the Planning Act 2011. HED are content with the proposal.
- (c) There is no proposed planting apart from the window boxes to the rear. Creating Places advises 'In the case of apartment or flat developments, private communal open space should range from a minimum of 10 sq. m per unit to around 30 sq. m per unit. The appropriate level of provision should be determined by having regard to the particular context of the development and the overall design concept. The existing building has limited external amenity space. The proposal provides bin and cycle storage. The site is within a few minutes' walk to the entrance of Botanic Gardens. On balance the level of communal space is considered acceptable taking into account the site context i.e. it is within a high density residential development with limited amenity space and the proximity of amenity open space at Botanic Gardens. .
- (d) The site is located close to the city centre and a range of facilities along the Malone and Lisburn road areas. The scale of the development is not such that would warrant local neighbourhood facilities to be provided within the development itself.
- (e) The site is located close to the busy Malone Road route with regular bus services running each day. Cycle storage is provided in the rear yard.
- (f) There is no in curtilage parking proposed however the Parking Statement demonstrated that adequate reserve parking capacity exists in the vicinity of the proposed development.
- (g) The front aspect of the roof will contain 2 additional skylight windows. The majority of the roof will remain as existing apart from the rear aspect which has been increased in height. The design and materials are acceptable for the area.
- (h) There are no significant issues regarding overlooking or overshadowing onto private amenity space. Existing windows to the rear already provide an element of outlook but they do not impinge on the residential amenity of neighbouring properties.
- (i) There appear to be no particular issues of concern for crime or personal safety.

Policy LC 2

Apartment developments exist in the immediate area. The criteria (a) – (e) are all met in line with Policy LC 2. The size of the apartments are all above the minimum 35m² requirement for one bed apartments. Initially the proposal sought 7 apartments and a number were located wholly to the rear. Amended plans were received reducing the scheme to 6 apartments and all with an outlook to the front onto Eglantine Avenue.

Planning Control Principle 2

The proposal is considered to comply with Planning Control Principle 2 of PPS 12 in that it demonstrates a high quality of design and layout as previously considered in the report through assessment of QD 1 of PPS 7 and LC 2 of PPS 7 (Addendum).

Having regard to the policy context and Development Plan the proposal is considered acceptable and planning permission is recommended.

Neighbour Notification Checked: Yes
Summary of Recommendation: Approval subject to conditions
Conditions: 1: The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission. Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011. 2 The proposed internal layout of the development hereby permitted, shall be as detailed on drawing 04B date stamped 08 December 2016. Reason: In the interest of the amenity of prospective residents. 3 The proposed flats 1, 3, 5 and 6 shall be used only for the purposes of a one bedroom apartment and shall be retained as such permanently. Reason: In the interests of residential amenity. 4 All external facing and roofing materials shall match those of the existing building. Reason: In the interests of the character and appearance of the Malone Conservation Area. 5 The development hereby permitted shall not be occupied until cycle parking has been provided and permanently retained in accordance with approved drawing No. 04B date stamped 08 December 2016. Reason: To ensure that adequate provision has been made for cycle parking and to encourage and promote alternative modes of transport.

ANNEX	
Date Valid	3rd May 2016
Date First Advertised	20th May 2016
Date Last Advertised	
Details of Neighbour Notification (all addresses)	
<p>The Owner/Occupier, 04,39 Malone Road,Malone Lower,Belfast,Antrim,BT9 6RX, The Owner/Occupier, 05,39 Malone Road,Malone Lower,Belfast,Antrim,BT9 6RX, Conor Doyle 105, Malone Avenue, Belfast, Antrim, Northern Ireland, BT9 6EQ Conor Doyle 105, Malone Avenue, Belfast, Antrim, Northern Ireland, BT9 6EQ The Owner/Occupier, 126 Eglantine Avenue,Malone Lower,Belfast,Antrim,BT9 6EU, The Owner/Occupier, 37 Malone Road,Malone Lower,Belfast,Antrim,BT9 6RX, The Owner/Occupier, 39 Malone Road,Malone Lower,Belfast,Antrim,BT9 6RX, The Owner/Occupier, 41 Malone Road,Malone Lower,Belfast,Antrim,BT9 6RX, The Owner/Occupier, 43 Malone Road,Malone Lower,Belfast,Antrim,BT9 6RX, The Owner/Occupier, 43 Malone Road,Malone Lower,Belfast,Antrim,BT9 6RX, The Owner/Occupier, Flat 1,111 Eglantine Avenue,Malone Lower,Belfast,Antrim,BT9 6EX, The Owner/Occupier, Flat 2,111 Eglantine Avenue,Malone Lower,Belfast,Antrim,BT9 6EX, The Owner/Occupier, Flat 3,111 Eglantine Avenue,Malone Lower,Belfast,Antrim,BT9 6EX, The Owner/Occupier, Flat 4,111 Eglantine Avenue,Malone Lower,Belfast,Antrim,BT9 6EX, The Owner/Occupier, Flat 5,111 Eglantine Avenue,Malone Lower,Belfast,Antrim,BT9 6EX, The Owner/Occupier, Flat 6,111 Eglantine Avenue,Malone Lower,Belfast,Antrim,BT9 6EX,</p>	
Date of Last Neighbour Notification	28th October 2016
Date of EIA Determination	
ES Requested	No

Planning History

Ref ID: Z/1974/1095

Proposal: CONVERSION OF DWELLING TO 6 FLATS, BEDSITTERS

Address: 113 EGLANTINE AVENUE, BT9

Decision:

Decision Date:

Ref ID: Z/1977/1228

Proposal: OFFICE USE

Address: 113 EGLANTINE AVENUE, BELFAST

Decision:

Decision Date:

Ref ID: Z/1979/1709

Proposal: CONVERSION TO 3 SELF-CONTAINED FLATS

Address: 113 EGLANTINE AVENUE

Decision:

Decision Date:

Ref ID: Z/2006/0871/F

Proposal: Change of use from first floor office space to first floor restaurant and alterations to boundary wall access.

Address: 37 Malone Road/115 Eglantine Avenue, Malone Lower, Belfast, BT09 6RX

Decision:

Decision Date: 03.04.2007

Ref ID: Z/2012/0961/F

Proposal: Proposed rear extension and internal alterations to existing apartments (Amended Plans)

Address: 113 Eglantine Avenue, Malone Lower, Belfast,

Decision: PG

Decision Date: 20.11.2013

Ref ID: Z/2012/1123/DCA

Proposal: Retention of front facade with demolition of main building to rear return

Address: 113 Eglantine Avenue, Malone Lower, Belfast,

Decision: WITHDR

Decision Date: 10.10.2013

Ref ID: LA04/2016/0899/F

Proposal: Part internal demolition, conversion from 3no flats to 7no flats including internal alterations, 3 storey rear extension and new rear dormer.

Address: 113 Eglantine Avenue, Belfast, BT9 6EX,

Decision:

Decision Date:

Ref ID: LA04/2016/0923/DCA

Proposal: Part internal demolition.
Address: 113 Eglantine Avenue, Belfast, BT9 6EX,
Decision:
Decision Date:

Ref ID: Z/1975/0182
Proposal: ERECTION OF 4 DWELLINGS
Address: GARRANARD PARK
Decision:
Decision Date:

Drawing Numbers and Title

Drawing No.
Type:
Status: Submitted

Notification to Department (if relevant)

Date of Notification to Department: N/A
Response of Department: